§ 41.11 Composition of boards.

* (a) In all local governments with a population less than one hundred thousand, community services boards, at the option of the local government, shall have either nine or fifteen members appointed by the local government. In all other local governments, a community services board shall have fifteen members appointed by the local government.

Whenever practicable at least one member shall be a licensed physician and one member shall be a certified psychologist and otherwise at least two members shall be licensed physicians, such members to have demonstrated an interest in the field of services for persons with mental disabilities. The other members shall represent the community interest in all the problems of persons with mental disabilities and shall include representatives from community agencies for persons with mental illness, developmental disabilities, and those suffering from alcoholism and substance abuse. The community services board shall have separate subcommittees for mental health, developmental disabilities, and alcoholism or, at the discretion of the local government, alcoholism and substance abuse. Each separate subcommittee shall have no more than nine members appointed by the local government, except that each subcommittee for mental health shall have no more than eleven members appointed by the local government. Three of each such subcommittee shall be members of the board. Each separate subcommittee shall be composed of persons who have demonstrated an interest in the field of services for the particular class of mentally disabled and shall include former patients, parents or relatives of such persons with mental disabilities and community agencies serving the particular class of mentally disabled, except that each subcommittee for mental health shall include at least two members who are or were consumers of mental health services, and at least two members who are parents or relatives of persons with mental illness. Each separate subcommittee shall advise the community services board and the director of community services regarding the exercise of all policy-making functions vested in such board or director, as such functions pertain to the field of services for the particular class of mentally disabled individuals represented by such subcommittee. In addition, each subcommittee for mental health shall be authorized to annually evaluate the local services plan, and

shall be authorized to report on the consistency of such plan with the needs of persons with serious mental illness, including children and adolescents with serious emotional disturbances. Any such report shall be forwarded annually to the community services board and the director of community services and a copy shall also be sent to the commissioner prior to the submission of the local services plan, provided, however, that the provisions of this paragraph shall not apply to cities of over a million in population.

* NB Effective until March 31, 2027

* (a) In all local governments with a population less than one hundred thousand, community services board, at the option of the local government, shall have either nine or fifteen members appointed by the local government. In all other local governments, a community services board shall have fifteen members appointed by the local government.

Whenever practicable at least one member shall be a licensed physician and one member shall be a certified psychologist and otherwise at least two members shall be licensed physicians, such members to have demonstrated an interest in the field of services for the mentally disabled. The other members shall represent the community interest in all the problems of the mentally disabled and shall include representatives from community agencies for individuals with mental illness, developmental disabilities, and those suffering from alcoholism and substance abuse. The community services board shall have separate subcommittees for mental health, developmental disabilities, and alcoholism or, at the discretion of the local government, alcoholism and substance abuse. Each separate subcommittee shall have no more than nine members appointed by the local government. Three of each such subcommittee shall be members of the board. Each separate subcommittee shall be composed of persons who have demonstrated an interest in the field of services for the particular class of mentally disabled and shall include former patients, parents or relatives of such mentally disabled persons and community agencies serving the particular class of mentally disabled. Each separate subcommittee shall advise the community services board and the director of community services regarding the exercise of all policy-making functions vested in such board or director, as such functions pertain to the field of services for the

particular class of individuals with mental disabilities represented by such subcommittee. Provided however that the provisions of this paragraph shall not apply to cities of over a million in population.

* NB Effective March 31, 2027

* (b) In cities of over a million a community services board shall consist of fifteen members to be appointed by the mayor. There shall be at least two residents of each county within such cities on the board. At least one shall be a licensed physician and at least one shall be a certified psychologist. The other members shall represent the community interest in all of the problems of the mentally disabled and shall include representatives from community agencies for persons with mental illness and developmental disabilities, and those suffering from alcoholism and substance abuse. The community services board shall have separate subcommittees for mental health, developmental disabilities, and alcoholism or, at the discretion of the local government, alcoholism and substance abuse. Each separate subcommittee shall have no more than nine members appointed by the local government, except that each subcommittee for mental health shall have no more than eleven members appointed by the local government. Three members of each such subcommittee shall be members of the board. Each separate subcommittee shall be composed of persons who have demonstrated an interest in the field of services for the particular class of mentally disabled and shall include former patients, parents or relatives of such persons with mental disabilities and community agencies serving the particular class of mentally disabled, except that each subcommittee for mental health shall include at least two members who are or were consumers of mental health services, and two members who are parents or relatives of persons with mental illness. Each separate subcommittee shall advise the community services board and the director of community services regarding the exercise of all policy-making functions vested in such board or director, as such functions pertain to the field of services for the particular class of individuals with mental disabilities represented by such subcommittee. In addition, each subcommittee for mental health shall be authorized to annually evaluate the local services plan, and shall be authorized to report on the consistency of such plan with the needs of persons with serious mental illness, including children and adolescents with serious emotional disturbances.

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* NB Effective March 31, 2027

(c) A person's public office or employment shall not bar appointment as a member of a board or subcommittee, nor shall membership serve as a bar to other public office or employment; provided, however, that no more than three employees of the department or of a department facility may hereafter be appointed as a member of a board or subcommittee.

(d) On initially constituted boards, and insofar as practicable, on subcommittees, one-third of the members shall be appointed for a

two-year term, one-third for a three-year term and the remainder for a four-year term. Thereafter, each member shall be appointed for a four-year term. All terms shall begin to run from the first day of the year of the appointment. Vacancies shall be filled for unexpired terms. No person may serve as a member of a board of a subcommittee for more than two terms consecutively unless otherwise provided by local law.

(e) Local governments shall reimburse board members for the reasonable expenses incurred in the performance of their duties and may also offer them a per diem compensation, but only their reasonable expenses are reimbursable as an operating cost pursuant to this article.

(f) Local governments may remove a board or subcommittee member for cause, after written notice of charges and an opportunity for the member to be heard.